

BRENT NEWELL (SBN 210312)  
LUKE W. COLE (SBN 145505)  
CENTER ON RACE, POVERTY & THE ENVIRONMENT  
47 Kearny Street, Suite 804  
San Francisco, CA 94108  
Telephone: (415) 346-4179  
Fax: (415) 346-8723  
Email: [bjnewell@igc.org](mailto:bjnewell@igc.org)

Attorneys for Plaintiff  
Association of Irritated Residents

DAVID PETTIT (SBN 067128)  
MELISSA LIN PERRELLA (SBN 205019)  
ADRIANO MARTINEZ (SBN 237152)  
NATURAL RESOURCES DEFENSE COUNCIL  
1314 Second Street  
Santa Monica, CA 90401  
Telephone: (310) 434-2300  
Facsimile: (310) 434-2399  
Email: amartinez@nrdc.org

Attnorneys for Plaintiff  
Natural Resources Defense Council, Inc.

IN THE U.S. DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

## SAN FRANCISCO DIVISION

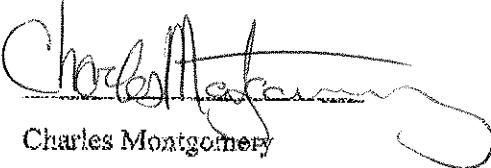
ASSOCIATION OF IRRITATED RESIDENTS, an  
unincorporated association, and NATURAL  
RESOURCES DEFENSE COUNCIL, INC. ) No. CV-08-0227-SC  
Plaintiffs, )  
v. )  
UNITED STATES ENVIRONMENTAL )  
PROTECTION AGENCY, STEPHEN L. JOHNSON, )  
in his official capacity as Administrator of the United )  
States Environmental Protection Agency, and )  
WAYNE NASTRI, in his official capacity as )  
Regional Administrator for Region IX of the United )  
States Environmental Protection Agency, )  
Defendants. )

**PROOF OF SERVICE ON THE  
UNITED STATES ATTORNEY**

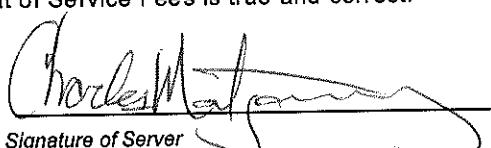
1 I, Charles Montgomery, am a resident of the State of California, over the age of eighteen  
2 years, and not a party to this action. My business address is 41 Sutter Street, #1661, San  
3 Francisco, CA 94104.

4 On January 15, 2008, I served the COMPLAINT FOR INJUNCTIVE AND  
5 DECLARATORY RELIEF (two copies); SUMMONS; CIVIL COVER SHEET; NOTICE OF  
6 AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION, WELCOME  
7 TO THE U.S. DISTRICT COURT, SAN FRANCISCO; ORDER SETTING INITIAL CASE  
8 MANAGEMENT CONFERENCE AND ADR DEADLINES; and ECF REGISTRATION  
9 INFORMATION HANDOUT on Tiffany Chiu, the person who stated she was authorized to  
10 accept service on behalf of the United States Attorney for the Northern District of California,  
11 located at 450 Golden Gate Avenue, 9th Floor, San Francisco, California, 94102. Service fees of  
12 \$55 were incurred.

13 I declare under penalty of perjury that the foregoing is true and correct and that this  
14 Return of Service was executed this 16th day of January 2008, in San Francisco, California.

15  
16   
17 Charles Montgomery

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me <sup>1</sup>		DATE 1/15/08
Name of SERVER <i>Charles Montgomery</i>		TITLE <i>process server</i>
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served Personally upon the Defendant. Place where served: <i>Tiffany Chiv, person authorized to accept US District Attorney 450 Golden Gate Ave 19N7 San Francisco CA 941082</i>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
	<i>\$55</i>	<i>\$55</i>
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>1/15/08</u> Date	 Signature of Server	
<b>Docket Rocket</b> 41 Sutter St., #1661 Address of Server San Francisco, CA 94104		
(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure		